

**REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL**

**April 2, 2001**

**12:15 p.m.**

**The Council of the City of Roanoke met in regular session on Monday, April 2, 2001, at 12:15 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.**

**PRESENT: Council Members William D. Bestpitch, William H. Carder, W. Alvin Hudson, Jr., Linda F. Wyatt and Mayor Ralph K. Smith-----5.**

**ABSENT: Council Members C. Nelson Harris and William White, Sr.-----2.**

**(Entered the meeting during the first closed session.)**

**OFFICERS PRESENT: Darlene L. Burcham, City Manager; and Mary F. Parker, City Clerk.**

**CITY ATTORNEY-COUNCIL: A report of the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended, was before the body.**

**(For full text, see report on file in the City Clerk's Office.)**

**ACTION: Mr. Carder moved that Council concur in the request of the City Attorney to convene in a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Hudson, Wyatt, and Mayor Smith-----5.**

**NAYS: None-----0.**

**(Council Members Harris and White were absent.)**

**PURCHASE/SALE OF PROPERTY-COUNCIL:** A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss a matter with regard to acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

**ACTION:** Mr. Carder moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss a matter with regard to acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Hudson, Wyatt, and Mayor Smith-----5.

**NAYS:** None-----0.  
(Council Members Harris and White were absent.)

**PURCHASE/SALE OF PROPERTY-COUNCIL:** A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss a matter with regard to disposition of publicly held property, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

**ACTION:** Mr. Carder moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss a matter with regard to disposition of publicly held property, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Hudson, Wyatt, and Mayor Smith-----5.

**NAYS:** None-----0.  
(Council Members Harris and White were absent.)

**COMMITTEES-COUNCIL:** A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

**ACTION:** Mr. Carder moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Hudson, Wyatt, and Mayor Smith-----5.

**NAYS:** None-----0.  
(Council Members Harris and White were absent.)

At 12:20 p.m., the Mayor declared the meeting in recess for four closed sessions and with the understanding that the Council meeting would reconvene at 2:00 p.m., in the City Council Chamber.

At 2:00 p.m., on Monday, April 2, 2001, the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

**PRESENT:** Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, and Mayor Ralph K. Smith-----7.

**ABSENT:** None-----0.

**OFFICERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

### PRESENTATIONS

**PROCLAMATIONS-ACTS OF ACKNOWLEDGEMENT-COMMUNICATIONS DEPARTMENT:** The Mayor presented a proclamation declaring the week of April 8 - 14, as National Telecommunicator's Week in the City of Roanoke.

Mr. Carder offered the following resolution:

(#35256-040201) A RESOLUTION recognizing Melissa L. Williams as Roanoke Public Safety Telecommunicator of the Year 2001 in the City's E-911 Communications Center.

(For full text of Resolution, see Resolution Book No. 63.)

**ACTION:** Mr. Carder moved the adoption of Resolution No. 35256-040201. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

The Mayor presented Ms. Williams with a ceremonial copy of the abovereferenced resolution and a plaque recognizing her as Roanoke Public Safety Telecommunicator of the year 2001.

**PROCLAMATIONS-HOUSING/AUTHORITY:** The Mayor presented a proclamation declaring the month of April, 2001, as Fair Housing Month in the City of Roanoke.

### CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

**MINUTES:** Minutes of the regular meeting of Council held on Monday, March 19, 2001, and the reconvened meeting on Monday, March 26, 2001, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

**ACTION:** Mr. White moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Hudson and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**COMMITTEES-CULTURAL SERVICES COMMITTEE:** A communication from Mary S. Neal tendering her resignation as the City Manager's designee to the Cultural Services Committee, effective immediately, was before Council.

(For full text, see communication on file in the City Clerk's Office.)

**ACTION:** Mr. White moved that the communication be received and filed, and that the resignation be accepted. The motion was seconded by Mr. Hudson and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**ZONING-ROANOKE NEIGHBORHOOD PARTNERSHIP-OATHS OF OFFICE-COMMITTEES:** The following reports of qualification were before Council:

Kermit E. Hale as a member of the Board of Zoning Appeals to fill the unexpired term of Sydnor W. Brizendine, Jr., deceased, ending December 31, 2001; and

Michael W. Ridenhour as a member of the Roanoke Neighborhood Partnership Steering Committee for a term ending November 30, 2003.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

**ACTION:** Mr. White moved that the reports of qualification be received and filed. The motion was seconded by Mr. Hudson and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

#### **REGULAR AGENDA**

**SCHOOLS:** The Mayor advised that on June 30, 2001, there will be two vacancies on the Roanoke City School Board for terms commencing July 1, 2001, and ending June 30, 2004. He further advised that six applications for the positions were received prior to the deadline on Friday, March 9, 2001; however one applicant withdrew his name from consideration (Lee Pusha).

The Mayor further advised that Section 9-20, Selection of Candidates for Public Interview, provides that on or before April 20 of each year Council shall, by public vote, select from the field of candidates those candidates to be accorded the public interview required by Section 9-21 of the City Code, and all other candidates shall be eliminated from the School Trustee selection process.

**ACTION:** Mr. White moved that Gary M. Bowman, Melvin W. Garrett, Melinda J. Payne, William E. Skeen and Ruth C. Willson be accorded the public interview by Council on Thursday, April 19, 2001, commencing at 4:00 p.m., in the City Council Chamber. The motion was seconded by Ms. Wyatt and unanimously adopted.

#### **HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**ROANOKE REGIONAL CHAMBER OF COMMERCE-  
ARMORY/STADIUM: Bruce Wood, Vice Chair for Public Policy and  
Strategic Issues for the Roanoke Regional Chamber of Commerce**

addressed Council with regard to Victory Stadium. He read the following letter from Edwin C. Hall, Chair, Board of Directors, Roanoke Regional Chamber of Commerce:

**“The City of Roanoke is looking ahead as it completes VISION 2001, a long-range comprehensive planning process that has the potential to shape the city’s future. At hand, however, is a decision on Victory Stadium. The Board of Directors of the Roanoke Regional Chamber of Commerce urges Roanoke City Council to move decisively as it considers the potential this decision has on the city’s future.**

**The Roanoke Regional Chamber cares deeply about the region’s future, business climate, quality of life, image, and ability to attract new businesses while helping existing ones grow. In that light, the Chamber asks Roanoke leaders to keep all the factors in mind as it reaches a decision on Victory Stadium that should and will affect the broader landscape of the city beyond the corner of Jefferson and Reserve.**

**Council’s recommendation for Victory Stadium should consider the**

- economic development impact such as the potential to attract tourism spending and contribute to quality of life**
- needs of the Roanoke City Schools for facilities that serve the needs of its students and represent the system’s commitment to excellence in education**
- highest and best use of the property that is a gateway to downtown, surrounding neighborhoods, and the Carilion Biomedical Institute**
- return on the investment**
- wise use of city financial resources**
- emotional impact of the decision on the community.**

We encourage City Council to consider many options but to expediently weigh the alternatives and move forward with a decision that creates a positive return on investment for the city and that fits with the progressive future most citizens envision for their region in such a signature project.”

**ACTION:** Without objection by Council, the Mayor advised that the communication would be received and filed.

**AIRPORT-BUDGET:** In accordance with the Roanoke Regional Airport Commission Contract dated January 28, 1987, as amended, Jacqueline L. Shuck, Executive Director, Roanoke Regional Airport, presented the Airport budget for fiscal year 2001-02, including a separate listing of capital expenditures. She advised that the budget was adopted by the Airport Commission at its meeting on March 14, 2001; and provides a separate listing of Capital Expenditures which are expected to exceed \$100,000.00 in cost and are intended to benefit five or more future accounting periods; and formal approval of the Operating Budget and the Capital Expenditure List, by resolution of each of the participating political subdivisions, is requested.

(For full text, see report on file in the City Clerk’s Office.)

Mr. Harris offered the following resolution:

(#35257-040201) A RESOLUTION approving the Roanoke Regional Airport Commission’s 2001-2002 proposed operating and capital budget, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 63.)

**ACTION:** Mr. Harris moved the adoption of Resolution No. 35257-040201. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.



## **PETITIONS AND COMMUNICATIONS:**

**VIRGINIA'S FIRST REGIONAL FACILITY AUTHORITY-ECONOMIC DEVELOPMENT:** Council Member William D. Bestpitch, one of the City's representatives to the New River Valley Commerce Park Participation Committee, presented a communication advising that the New River Valley Commerce Park Participation Committee has received correspondence from David Rundgren notifying all members of the Committee that additional shares in the Commerce Park Project are available due to the fact that Wythe County has chosen to withdraw from participation.

Mr. Bestpitch recommended that since there are other jurisdictions that have interest in purchasing the shares, the City of Roanoke should stay with its current share ownership of 10,000 shares, not purchase its pro-rata portion of additional shares, and let the available shares adhere to other interested jurisdictions.

(For full text, see communication and attachments on file in the City Clerk's Office.)

**ACTION:** Mr. Bestpitch moved that Council concur in the recommendation. The motion was seconded by Mr. Harris and unanimously adopted.

## **REPORTS OF OFFICERS:**

**CITY MANAGER:**

**BRIEFINGS:** None.

## **ITEMS RECOMMENDED FOR ACTION:**

**BUDGET-FDETC:** The City Manager submitted a communication advising that the Fifth District Employment and Training Consortium (FDETC) administers the Federally funded Workforce Investment Act (WIA) for the region, which encompasses the Counties of Allegheny, Botetourt, Craig, Franklin and Roanoke, as well as the Cities of Clifton Forge, Covington, Roanoke and Salem; the agency's client population is composed primarily of economically disadvantaged individuals as determined by household income guidelines set by the U.S. Department of Labor; the City of Roanoke is the grant recipient and fiscal agent for

FDETC funding, thus, Council must appropriate funding for all grants and other monies the FDETC receives; the Virginia Department of Social Services has notified the FDETC that a proposal to provide services under the Virginia Department of Social Services Economic and Employment Improvement Grant Program for Disadvantaged Persons has been approved; and award of \$50,000.00 will be given to the FDETC for the period of March 1, 2001 through June 30, 2002.

The City Manager recommended that Council appropriate the FDETC's funding totaling \$50,000.00 and increase the revenue estimate by \$50,000.00 in accounts to be established in the Consortium Fund by the Director of Finance.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following emergency budget ordinance:

(#35258-040201) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Consortium Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63.)

**ACTION:** Mr. Carder moved the adoption of Ordinance No. 35258-040201. The motion was seconded by Mr. Harris and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**BUDGET-GRANTS-LIBRARIES:** The City Manager submitted a communication advising that the Roanoke City Public Library has been awarded a grant of \$13,300.00 by The Library of Virginia which is to be used to renovate and furnish a room in the Main Library for use as a computer lab; and the grant is in support of a grant previously received from the Bill and Melinda Gates Foundation for computer equipment.

The City Manager recommended that Council accept the Library of Virginia Grant, and that she be authorized to execute the requisite grant documents, establish a \$13,000.00 revenue estimate in an account to be established by the Director of Finance and that Council appropriate funds in accounts to be established by the Director of Finance.

(For full text, see communication on file in the City Clerk’s Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35259-040201) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63.)

**ACTION:** Mr. Harris moved the adoption of Ordinance No. 35259-040201. The motion was seconded by Mr. Carder and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

Mr. Harris offered the following resolution:

(#35260-040201) A RESOLUTION accepting the Library of Virginia Grant to the Roanoke Public Library to renovate and furnish a room in the main Library for use as a computer lab.

(For full text of Resolution, see Resolution Book No. 63.)

**ACTION:** Mr. Harris moved the adoption of Resolution No. 35260-040201. The motion was seconded by Mr. Carder and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**NEIGHBORHOOD ORGANIZATIONS-GRANTS:** The City Manager submitted a communication advising that historically, the Northwest Neighborhood Environmental Organization has received HOME Investment Partnerships (HOME) funds from the City of Roanoke to develop affordable housing; on May 9, 2000, Council authorized funding for acquisition and rehabilitation of two properties located in the 500 block of Loudon Avenue, N. W., pursuant to Resolution No. 34798-050900, which approved submission of the City's 2000-2005 Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD); on June 19, 2000, Council accepted 2000-01 HOME funds pursuant to Budget Ordinance No. 34882-061900 and Resolution No. 34883-061900; in order to provide funding for NNEO to develop the Fifth Street Gateway Project approved in the City's Consolidated Plan, authorization by Council is needed to execute a subgrant agreement with NNEO; and funding is available in Account No. 035-090-5308-5309, in the amount of \$78,700.00.

The City Manager recommended that she be authorized to execute a HOME Subgrant Agreement with the Northwest Neighborhood Environmental Organization.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35261-040201) A RESOLUTION authorizing the execution of a subgrant agreement with the Northwest Neighborhood Environmental Organization for administration of Community Development Block Grant (CDBG) funds for FY 2000-2001 for the development of the Fifth Street Gateway Project.

(For full text of Resolution, see Resolution Book No. 63.)

**ACTION:** Mr. Harris moved the adoption of Resolution No. 35261-040201. The motion was seconded by Mr. Carder and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**BUDGET-HOUSING/AUTHORITY:** The City Manager submitted a communication advising that as part of its ongoing efforts to improve public housing at the Lincoln Terrace Development, the Roanoke Redevelopment and Housing Authority (RRHA) applied for and has been awarded a \$15.1 million HOPE VI Revitalization Grant from the U.S. Department of Housing and Urban Development ("HUD"); in support of the RRHA HOPE VI application, the City committed to provide up to \$3 million in financial assistance for both infrastructure costs of the Lincoln 2000/HOPE VI Project and housing rehabilitation loan funding for existing homeowners in the Washington Park neighborhood; and infrastructure funding to be provided by the City will support improvements in public rights-of-way and publicly dedicated easements, including, but not limited to, construction and reconstruction of streets, curbs, gutters and sidewalks and water and sewer utilities.

It was further advised that the City will provide the Housing Authority with a total of \$2.1 million for infrastructure improvements in three yearly installments, with the \$600,000.00 covered by this letter being the first installment (The remaining \$900,000.00 of the total \$3 million committed by the City is for housing rehabilitation and is being handled separately); funds for the first installment have been identified in the General Fund and Community Development Block Grant (ACDBG®) program funds and from Retained Earnings in the Water Fund and Sewer Fund; and specific amounts and sources are as follow:

<u>Source</u>	<u>Account Name</u>	<u>Amount</u>
CDBG	Infrastructure	\$253,000.00
General Fund	Transfer to Capital Projects	\$100,000.00
Sewer Fund	Retained Earnings	\$109,000.00
Water Fund	Retained Earnings	\$138,000.00

The City Manager recommended that she be authorized to execute the 2000/01 Agreement with the Housing Authority, and appropriate funds in the amount of \$347,000.00 from City funding sources to accounts to be established by the Director of Finance and entitled, "Lincoln 2000/HOPE VI Infrastructure," and CDBG funds have been previously appropriated to the proper account.

(For full text, see communication on file in the City Clerk's Office.)

**Mr. Harris offered the following emergency budget ordinance:**

**(#35262-040201) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Water, Sewage Treatment, and Capital Projects Funds Appropriations, and providing for an emergency.**

**(For full text of Ordinance, see Ordinance Book No. 63.)**

**ACTION: Mr. Harris moved the adoption of Ordinance No. 35262-040201. The motion was seconded by Mr. Carder and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.**

**NAYS: None-----0.**

**Mr. Harris offered the following resolution:**

**(#35263-040201) A RESOLUTION authorizing the appropriate City officials to enter into a 2000-2001 Agreement with the City of Roanoke Redevelopment and Housing Authority, providing funding for infrastructure improvements associated with the Lincoln 2000/HOPE VI Community Revitalization Program Project, upon certain terms and conditions.**

**(For full text of Resolution, see Resolution Book No. 63.)**

**ACTION: Mr. Harris moved the adoption of Resolution No. 35263-040201. The motion was seconded by Mr. Carder and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUDGET-FLOOD REDUCTION/CONTROL: The City Manager submitted a communication advising that in 1989, a \$7.5 million bond referendum was passed to provide partial funding for the Roanoke River Flood Reduction Project, and a utility tax was established to pay**

the debt service for the bond; in 1990, a Local Cooperation Agreement (LCA) was executed with the U.S. Army Corps of Engineers to construct the project; under the LCA, the City committed to fund five per cent of the project and construction costs, 100 per cent of property acquisition costs, 100 per cent of relocation costs, and 50 per cent of recreation trail costs; estimated cost of the remaining City share of the project is approximately \$12.9 million; there is a current unobligated balance of approximately \$5.4 million in project accounts; at the appropriate time, the previously approved bond issue of \$7.5 million will be issued; and \$624,000.00 was included in Transfers to Capital Projects Fund as part of the approved General Fund budget for fiscal year 2001 in support of the project, and now needs to be transferred to the Capital Projects Fund and appropriated to the proper Capital Projects Fund account.

The City Manager recommended that Council appropriate \$624,000.00 which was included in the adopted budget of General Fund Account No. 001-250-9310-9508 in the Capital Projects Fund Account No. 008-056-9620-9003, Roanoke River Flood Reduction.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35264-040201) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 63.)

**ACTION:** Mr. Harris moved the adoption of Ordinance No. 35264-040201. The motion was seconded by Mr. Carder and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**BUDGET-INDUSTRIES-ECONOMIC DEVELOPMENT:** The City Manager submitted a communication advising that Foot Levelers, Inc., located at 518 Pocahontas Drive, is a local company which

manufactures orthopedic insoles for shoes; approximately 12 months ago, Foot Levelers recognized a need to expand operations and began to look for sites outside the City of Roanoke; in order to keep its business in the City and to make expansion possible in the City of Roanoke, Foot Levelers requested assistance from the City of Roanoke; Foot Levelers is investing approximately \$3.3 million in a building expansion and an additional investment will be made for new equipment; the company has added approximately 30 positions over the past 18 months and expects to continue to add approximately eight to ten positions per year over the next three years; and the City has worked with the Industrial Development Authority to assist with the expansion project which will promote economic development in the City of Roanoke.

It was further advised that the Industrial Development Authority discussed the project at its March 7, 2001, meeting and has requested \$34,790.00 from the City to assist with the cost of the expansion project; funds from the City will be used by the IDA to make an economic development grant to Foot Levelers for its expansion project; and the IDA will require Foot Levelers to provide documentation that the grant funds are used for the expansion project.

The City Manager recommended that Council authorize transfer of \$34,790.00 to an account to be entitled, "Foot Levelers Infrastructure Project," which will provide funds for the IDA for purposes of promoting economic development in the City of Roanoke and the Roanoke Valley, in order to fund the grant that the Industrial Development Authority intends to make to Foot Levelers, Inc., upon certain terms and conditions; authorize the City Manager and the City Clerk, on behalf of the City, to execute and attest, respectively, appropriate documents between the City, the IDA and Foot Levelers, Inc., upon certain terms and conditions, to allow the IDA to make the economic development grant to Foot Levelers; that the City Manager be further authorized to take such action and execute such additional documents as may be reasonably necessary to provide for implementation and administration of such economic development grant; and transfer \$27,490.00 from Capital Improvement Reserve Building and \$7,300.00 from RCIT Entrance Sign Project to fund the economic development grant to be made to Foot Levelers, Inc., by the Industrial Development Authority.

(For full text, see communication on file in the City Clerk's Office.)



**Mr. Carder offered the following emergency budget ordinance:**

**(#35265-040201) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.**

**(For full text of Ordinance, see Ordinance Book No. 63.)**

**ACTION: Mr. Carder moved the adoption of Ordinance No. 35265-040201. The motion was seconded by Ms. Wyatt and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.**

**NAYS: None-----0.**

**Mr. Harris offered the following emergency ordinance:**

**(#35266-040201) AN ORDINANCE providing that the City of Roanoke will appropriate an amount up to \$34,790.00 to the Industrial Development Authority of the City of Roanoke, Virginia (IDA) for the purposes of promoting economic development in the City of Roanoke and the Roanoke Valley in order to fund the grant that the IDA intends to make to Foot Levelers, Inc., and authorizing the proper City officials to execute appropriate documentation among the City of Roanoke, the IDA, and Foot Levelers, Inc., that provides for an expansion project by Foot Levelers that will result in an investment and retention of jobs within the City; and providing for an emergency.**

**(For full text of Ordinance, see Ordinance Book No. 63.)**

**ACTION: Mr. Harris moved the adoption of Ordinance No. 35266-040201. The motion was seconded by Mr. Hudson and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.**

**NAYS: None-----0.**

At 2:35 p.m., the Mayor declared the meeting in recess and Council reconvened in closed session.

At 3:50 p.m., the City Council meeting reconvened in the Council Chamber, with Mayor Smith presiding, and all Members of the Council in attendance.

**NORFOLK SOUTHERN CORPORATION-RAIL SERVICE:** The City Manager submitted a communication advising that on January 16, 2001, after the Passenger Rail Service Committee presented its report, Council referred the issue of designating and funding a future site for the Passenger Rail Depot to the City Manager's Office; after review of the report, the City Manager agreed that Council should officially designate the former Norfolk Southern passenger rail station on Shenandoah Avenue as the depot for this endeavor; not only would the structure be restored to its previous use, but could also serve as a destination itself with the possible siting of an O. Winston Link photograph museum; as requested by the Passenger Rail Service Committee, she will include this item on the budget study agenda; and total renovation cost is estimated at \$9 million, with \$1.7 million requested from City funds.

The City Manager recommended that Council adopt a resolution designating the former Norfolk Southern passenger rail station for future passenger rail service.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Bestpitch offered the following resolution:

(#35267-040201) A RESOLUTION designating the former Norfolk Southern passenger rail station located on Shenandoah Avenue across from The Hotel Roanoke as the official depot for light rail service.

(For full text of Resolution, see Resolution Book No. 63.)

**ACTION:** Mr. Bestpitch moved the adoption of Resolution No. 35267-040201. The motion was seconded by Mr. Hudson and adopted by the following vote:

**AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.**

**NAYS: None-----0.**

**Mr. White requested that the City Clerk forward a letter to the Passenger Rail Service Committee acknowledging the work of the committee. He further requested that the matter of state funding for passenger rail service be referred to the Legislative Committee for discussion in connection with the City's proposed 2002 Legislative Program.**

**DIRECTOR OF FINANCE:**

**DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of February, 2001.**

**(For full text, see Financial Report on file in the City Clerk's Office.)**

**ACTION: Without objection by Council, the Mayor advised that the Financial Report would be received and filed.**

**REPORTS OF COMMITTEES:**

**COMMITTEES-COUNCIL: The committee appointed by Council on January 8, 2001, to review and make recommendations regarding restructuring of the City's authorities, boards, commissions and committees submitted the following recommendations:**

**Discontinue the following commissions, committees and task force:**

- e Economic Development Commission**
- e Revenue Study Commission**
- e City Taxes Committee (Has not met for approximately ten years.)**
- e Downtown Housing Task Force**
- e Metropolitan Transportation Planning District Study Committee**
- e Roanoke Valley Cooperative Study Committee**

- **City Investment Committee**
- **Set-off Debt Collections Board**
- **Bid Specifications Committee (Initially appointed to study vehicular equipment purchases; the Virginia Procurement Code satisfactorily addresses such issues; and bid committees to review construction procurement bids will continue to be appointed.)**
- **Upper Roanoke River Sub-area Advisory Committee (City representatives)**
- **Center in the Square Board of Directors (City representative)**
- **Water Resources Committee (City business will be conducted more expeditiously if matters routinely addressed by the committee are forwarded directly to City Council; City real estate transactions will be expedited by approximately 30 days; matters that are routinely addressed by the committee are forwarded to Council for approval; and six members of Council currently serve on the committee.)**

**The procedure for electing Trustees to the Roanoke City School Board as set forth in Chapter 9, Education, Code of the City of Roanoke (1979), as amended, will remain the same, with one exception; i.e.: elimination of the public reception for School Board applicants.**

**Effective July 1, 2001, establish a uniform process for appointing members to the City Planning Commission, Board of Zoning Appeals, Architectural Review Board, Roanoke Redevelopment and Housing Authority and Industrial Development Authority, through a phased in approach beginning with the Architectural Review Board (two vacancies on October 1, 2001), the Industrial Development Authority (two vacancies on October 20, 2001) and the Board of Zoning Appeals (two vacancies on December 31, 2001). The City Clerk will advertise the vacancies 45 days prior to expiration of the term of office, copies of all applications will be forwarded to City Council for review, and Council will select no more than three persons to be interviewed in closed session for each vacancy.**

**Provide a stipend for current members of the City Planning Commission and the Board of Zoning Appeals, upon completion of a certification program. New appointees will be required to attain certification within one year of the date of appointment. A majority of the current members of the City Planning Commission have attained their certification through the Virginia Certified Planning Commissioners Program sponsored by Virginia Tech, and Virginia Tech also offers a Virginia Certified Board of Zoning Appeals Program. Since there is no certification program for School Board Trustees, members should be encouraged to attend Virginia School Board**

**Association activities where they are awarded points based upon participation in various programs and conferences. The City Manager recommends that this stipend be \$1200 annually.**

**The committee would like to continue to review the duties and responsibilities of the Board of Zoning Appeals, including conducting a survey on boards in other Virginia municipalities to determine if the responsibilities should be modified.**

**Amend Section 36.1-640 of the Code of the City of Roanoke (1979), as amended, relating to the Architectural Review Board to delete that portion which provides, "All members shall have an interest, competency, or knowledge of historic preservation. At least one of the members appointed shall be selected from the membership of the City Planning Commission, at least two members shall be registered architects, and at least one member shall be a person who has demonstrated knowledge of and interest in the history of the City."**

**Council Members, in liaison capacities, serve as a conduit between their respective committees and the Members of Roanoke City Council; therefore, Council Members should not be expected to attend all committee meetings. Committee meetings should be scheduled at times that do**

**not conflict with regularly scheduled City Council meetings in the event that the presence of the liaison Council Member is needed.**

**All Council-appointed boards and commissions should file written reports with Council within 60 days of the conclusion of each fiscal year which shall summarize the work of the committee for such fiscal year, including a report of the attendance of its membership at regular and special meetings of such body for the previous fiscal year. Such reports should be filed with the City Clerk and forwarded to the Members of Council for review. In addition, each board and commission shall file copies of the minutes with the City Clerk which will be kept on file in the Clerk's Office for public inspection.**

**Whenever possible, only Roanoke City residents should be appointed to City Council-appointed boards and commissions.**

**The Cultural Services Committee and the Roanoke City Arts Commission should be consolidated.**

**The fifth Monday in April, July, October and December, 2001 and future fifth Mondays from 12:15 p.m. - 5:00 p.m. will be devoted to Council work sessions, at which time the City Manager will schedule appropriate staff briefings; however, the first 90 minutes of the work session will include reports by Council Members in connection with their respective liaison roles to the various boards and commissions.**

**Members of Council are encouraged to attend at least one meeting per year of the School Board, City Planning Commission, Board of Zoning Appeals, Architectural Review Board, Industrial Development Authority and the Roanoke Redevelopment and Housing Authority. Minutes of the meetings are filed in the City Clerk's Office and copy will be provided by the Clerk to any member of Council upon request.**

**Members of the Roanoke City School Board, City Planning Commission and Roanoke Redevelopment and Housing Authority should be advised that there is an option of having their meetings televised on RVTV-Channel 3, and additional funds will be appropriated by the City to the RVTV budget to cover the expense, should they elect to televise meetings.**

**Monthly meetings should be held by the Industrial Development Authority and staffed by the City's Economic Development Department.**

**City Council will meet with the Roanoke City School Board, Roanoke Redevelopment and Housing Authority, City Planning Commission, Board of Zoning Appeals, Industrial Development Authority and Architectural Review Board annually in a work session for the purpose of planning/goal setting. (Dinner meetings could be scheduled on the third Monday, with the understanding that the Council meeting will convene at 2:00 p.m., rather than 12:15 p.m.)**

**The City of Roanoke Transportation Safety Commission should be represented by the following interests: a member of Council, City Traffic Engineer, Valley Metro General Manager, Transportation Manager of the Roanoke City Schools, neighborhood representative, greenway/bicycle representative, disabled representative, judicial representative, police department representative, railroad representative, and a youth representative. All categories are currently represented, except a person representing the disabled community, a judicial representative and a youth representative. Currently, there is one vacancy on the Transportation Safety Commission and when filling future vacancies, Council is encouraged to take into consideration the need to fill the positions with persons representing those categories that are not presently represented.**

**Meetings of the Greater Roanoke Transit Company Board of Directors will be held on an as needed basis, rather than monthly.**

**ACTION: Mr. Carder moved that Council concur in the recommendations of the committee and that the report be referred to the City Attorney for preparation of the proper measure(s). The motion was seconded by Ms. Wyatt and unanimously adopted.**

**The City Manager advised that four Members of Council will be out of the City on the fifth Monday in April; whereupon, it was the consensus of Council that the work session recommended by the committee to be held on April 30, 2001, be eliminated from the schedule.**

**Mr. Bob Caudle, 431 Belford Street, S. W., spoke in support of the stipend for the Board of Zoning Appeals and the City Planning Commission. He volunteered his service for any committee assignment deemed appropriate by Council.**

**PURCHASE/SALE OF PROPERTY-AIRPORT-WATER RESOURCES: Council Member Linda F. Wyatt, Chairperson, Water Resources Committee, presented a written report on behalf of the Committee, with regard to property rights acquisition for the Airport Road Signalization Project.**

**A staff report advised that signalization for the two intersections of Airport Road at Towne Square Boulevard and Airport Road at Municipal Drive, N. W., have been on the City's list for future traffic signalization for several years, however, these intersections were not ranked high enough to be funded from the latest bond referendum; Roanoke County, which adjoins Airport Road on the east side of the road, offered to fund 50 per cent of the \$350,000.00 estimated cost to signalize the two intersections; Council authorized execution of an agreement with Roanoke County on April 3, 2000, which agreed to the City's share of project cost and funds in the amount of \$175,000.00 representing the City's share are available in Airport Road Traffic Signals Account No. 008-052-9577.**

**It was explained that the project consists of geometric improvements and signalization of the two intersections of Airport Road at Towne Square Boulevard and Airport Road at Municipal Drive, N. W.;**



plans have been developed to identify property rights that will be needed for construction of the project; authorization is needed by Council to move forward with acquisition of the necessary property rights; and estimated cost of acquisition of all property rights is \$120,000.00.

The Water Resources Committee recommended that Council authorize the City Manager to acquire all necessary property rights, which may be acquired, following a satisfactory environmental site inspection by negotiation or eminent domain and include rights-of-way, permanent drainage easements, and temporary construction easements.

(For full text, see reports on file in the City Clerk’s Office.)

Ms. Wyatt offered the following emergency ordinance:

(#35268-040201) AN ORDINANCE providing for the acquisition of certain property rights needed by the City for the Airport Road Signalization Project; setting a limit on the consideration to be offered by the City; providing for the City’s acquisition of such property rights by condemnation, under certain circumstances; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 63.)

**ACTION:** Ms. Wyatt moved the adoption of Ordinance No. 35268-040201. The motion was seconded by Mr. White and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**UNFINISHED BUSINESS:** None.

**INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

**BUDGET-CMERP: Ordinance No. 35242, appropriating \$177,111.00 from the Capital Maintenance and Equipment Replacement Program to fund equipment purchases, maintenance and other one-time priority purchases, having previously been before the Council for its first reading on Monday, March 19, 2001, read and adopted on its first reading and laid over, was again before the body, Mr. White offering the following for its second reading and final adoption:**

**(#35242-040201) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General Fund Appropriations.**

**(For full text of Ordinance, see Ordinance Book No. 63.)**

**ACTION: Mr. White moved the adoption of Ordinance No. 35242-040201. The motion was seconded by Mr. Hudson and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, and Mayor Smith-----6.**

**NAYS: Council Member Wyatt-----1.**

**ZONING: Ordinance No. 35253, rezoning a portion of those certain parcels of real property located at 4425 and 4431 Northwood Drive, N. W., Official Tax Nos. 6140610 and 6140609, and a portion of that certain parcel of real property located at the intersection of Peters Creek Road, N. W., and Woodbridge Avenue, Official Tax No. 6141403, from RS-3, Residential Single Family District, to C-2, General Commercial District, as more specifically identified in the First Amended Petition filed in the Office of the City Clerk on February 12, 2001, and subject to certain proffers contained in the petition, having previously been before the Council for its first reading on Monday, March 19, 2001, read and adopted on its first reading and laid over, was again before the body, Mr. Hudson offering the following for its second reading and final adoption:**

**(#35253-040201) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 614, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant.**

**(For full text of Ordinance, see Ordinance Book No. 63.)**

**ACTION:** Mr. Hudson moved the adoption of Ordinance No. 35253-040201. The motion was seconded by Mr. Carder and adopted by the following vote:

**AYES:** Council Members Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----6.

**NAYS:** Council Member Bestpitch-----1.

**ZONING:** Ordinance No. 35254, rezoning a tract of land partially fronting on a portion of Baldwin Avenue, N. E. (8 lots), and additional property fronting on a portion of Edmund Avenue, N. E. (16 lots), bearing Official Tax Nos. 3210616 - 3210620, inclusive, 3210712-3210722, inclusive, and 3210701 - 3210708, inclusive, from LM, Light Manufacturing District, to HM, Heavy Manufacturing District, as set forth in the Second Amended Petition filed in the Office of the City Clerk on March 8, 2001, having previously been before the Council for its first reading on Monday, March 19, 2001, read and adopted on its first reading and laid over, was again before the body, Mr. Hudson offering the following for its second reading and final adoption:

(#35254-040201) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 321, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant.

(For full text of Ordinance, see Ordinance Book No. 63.)

**ACTION:** Mr. Hudson moved the adoption of Ordinance No. 35254-040201. The motion was seconded by Mr. Harris and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**MOTIONS AND MISCELLANEOUS BUSINESS:**

**INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:**

**COUNCIL:** Mr. Harris offered the following resolution changing the time of commencement of the regular meeting of Council from 12:15 p.m., to 2:00 p.m., on Monday, April 16, 2001:

**(#35269-040201)** A RESOLUTION changing the time of commencement of the regular meeting of City Council scheduled to be held at 12:15 p.m., on Monday, April 16, 2001.

(For full text of Resolution, see Resolution Book No. 63.)

**ACTION:** Mr. Harris moved the adoption of Resolution No. 35269-040201. The motion was seconded by Mr. Hudson and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**COUNCIL:** Mr. Harris offered the following Resolution changing the time of commencement of the regular meeting of Council from 12:15 p.m., to 2:00 p.m., on Monday, May 21, 2001:

**(#35270-040201)** A RESOLUTION changing the time of commencement of the regular meeting of City Council scheduled to be held at 12:15 p.m., on Monday, May 21, 2001.

(For full text of Resolution, see Resolution Book No. 63.)

**ACTION:** Mr. Harris moved the adoption of Resolution No. 32570-040201. The motion was seconded by Mr. Hudson and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**COUNCIL:** Mr. Harris offered the following Resolution changing the time of commencement of the regular meeting of Council from 12:15 p.m., to 2:00 p.m., on Monday, June 18, 2001:

(#35271-040201) A RESOLUTION changing the time of commencement of the regular meeting of City Council scheduled to be held at 12:15 p.m., on Monday, June 18, 2001.

(For full text of Resolution, see Resolution Book No. 63.)

**ACTION:** Mr. Harris moved the adoption of Resolution No. 35271-040201. The motion was seconded by Mr. Hudson and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:** None.

At 4:15 p.m., the Mayor declared the meeting in recess.

At 4:45 p.m., the meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, Mayor Smith presiding.

**ACTION:** **COUNCIL:** With respect to the Closed Meeting just concluded, Mr. Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

**NAYS:** None-----0.

**OATHS OF OFFICE-COMMITTEES-PARKS AND RECREATION:** The Mayor advised that the term of office of William R. Dandridge as a member of the Mill Mountain Advisory Committee expired on June 30, 2000, and called for nominations to fill the vacancy.

**Mr. Carder placed in nomination the name of William R. Dandridge.**

**There being no further nominations, Mr. Dandridge was reappointed as a member of the Mill Mountain Advisory Committee, for a term ending June 30, 2001, by the following vote:**

**FOR MR. DANDRIDGE: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.**

**OATHS OF OFFICE-COMMITTEES-COMMUNITY PLANNING: The Mayor advised that the terms of office of Alfred T. Dowe, Jr., Robert B. Manetta, and Richard A. Rife as members of the City Planning Commission expired on December 31, 2000, and called for nominations to fill the vacancies.**

**Mr. White placed in nomination the names of Alfred T. Dowe, Jr., Robert B. Manetta, and Richard A. Rife.**

**There being no further nominations, Messrs. Dowe, Manetta, and Rife were reappointed as members of the City Planning Commission for terms ending December 31, 2004, by the following vote:**

**FOR MESSRS. DOWE, MANETTA, AND RIFE: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.**

**OATHS OF OFFICE-COMMITTEES-ROANOKE NEIGHBORHOOD PARTNERSHIP: The Mayor advised that there is a vacancy on the Roanoke Neighborhood Partnership Steering Committee created by the resignation of Viola N. Campbell for a term ending November 30, 2003, and called for nominations to fill the vacancy.**

**Ms. Wyatt placed in nomination the name of Bob Caudle.**

**There being no further nominations, Mr. Caudle was appointed as a member of the Roanoke Neighborhood Partnership Steering Committee, for a term ending November 30, 2003, by the following vote:**

**FOR MR. CAUDLE: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.**

**OATHS OF OFFICE-COMMITTEES-HUMAN DEVELOPMENT:** The Mayor advised that there is a vacancy on the Advisory Board of Human Development created by the resignation of Gina Wilburn for a term ending November 30, 2004, and called for nominations to fill the vacancy.

Ms. Wyatt placed in nomination the name of Gail Burruss.

There being no further nominations, Ms. Burruss was appointed as a member of the Advisory Board of Human Development, for a term ending November 30, 2004, by the following vote:

**FOR MS. BURRUSS:** Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt, and Mayor Smith-----7.

There being no further business, the Mayor declared the meeting adjourned at 4:50 p.m.

**A P P R O V E D**

**ATTEST:**

Mary F. Parker  
City Clerk

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Ralph K. Smith  
Mayor